

NOTES ON UNITED STATES CITIZENSHIP

Prepared by Frederic W. Cook, Secretary of the Commonwealth,
for the use of City and Town Clerks and Election Commissioners.
(Corrected to April 1, 1931)

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States. (U.S. Constitution, Art. XIV).
2. All children born outside the limits and jurisdiction of the United States whose fathers were at the time of their birth citizens thereof are citizens of the United States. (U.S. Compiled Statutes, 1918, Section 3947; U.S. Code Annotated Title 8 Section 6).
3. The children of persons duly naturalized who were minors at the time of such naturalization are citizens of the United States, if dwelling therein. (U.S. Compiled Statutes, 1918, Section 4367; U.S. Code Annotated Title 8 Section 7).
4. A child born outside of the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent, where such naturalization or resumption takes place during the minority of such child. The citizenship of such minor child shall date from the time such child begins to reside permanently in the United States. (U.S. Code Annotated Title 8 Section 8).
5. A woman citizen of the United States who, prior to March 2, 1907, married an alien, if she continues to reside in the United States, retains her United States citizenship and is entitled to register and vote if domiciled here and otherwise qualified. (Opinions of Attorney General of Massachusetts, Vol. 5, Page 680; October 13, 1920).
6. A woman citizen of the United States who, between March 2, 1907 and September 22, 1922, married a foreigner, took the nationality of her husband. If their marital relations terminated prior to September 22, 1922 her United States citizenship could be resumed provided she continued to reside in the United States. If during her marital relation prior to September 22, 1922 her alien husband became a citizen she regained her United States citizenship. If the termination of their marital relations or the naturalization of her husband occurred after September 22, 1922 she must be naturalized in order to resume her United States citizenship. (U.S. Compiled Statutes 1918 Section 3960; U.S. Code Annotated Title 8 Section 9). See following paragraphs numbers 10 and 11.
7. Any woman who prior to September 22, 1922 married a citizen of the United States and who might herself be lawfully naturalized shall be deemed a citizen of the United States. (U.S. Compiled Statutes, 1918, Section 3948; U.S. Code Annotated Title 8 Section 10).

8. Any foreign woman who acquires United States citizenship by marriage to a citizen of the United States shall be assumed to retain the same after the termination of the marital relations if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens. (U.S. Compiled Statutes, 1918, Section 3961; U.S. Code Annotated Title 8 Section 10).
9. Any woman who married a citizen of the United States after September 22, 1922, and who was not then a citizen of the United States, or any woman whose husband is naturalized after said date, does not become a citizen of the United States by reason of such marriage or naturalization. (U.S. Statutes, 1922, chapter 411, section 2).
10. A woman citizen of the United States does not lose her citizenship by reason of her marriage (if such marriage took place after September 22, 1922), unless she makes formal renunciation of her citizenship before a court having jurisdiction over naturalization of aliens. (Act of 71st Congress Public 829).
11. Any woman who after the passage of the act, approved March 3, 1931, lost her United States citizenship by residence abroad after marriage to an alien or by marriage to an alien ineligible to citizenship may, if she has not acquired any other nationality by affirmative act, be naturalized without declaration of intention or submitting a certificate of arrival and without declaring any period of residence within the United States. (Act of 71st Congress Public 829).
12. Any woman who was a citizen of the United States at birth and who has lost her United States citizenship by marriage to an alien shall not be denied naturalization on account of her race. (Act of 71st Congress Public 829).
13. The ineligibility to United States citizenship of an alien husband does not prevent a woman being entitled to naturalization. (Act of 71st Congress Public 829).
14. Any United States citizen who prior to the date when this country declared war (April 6, 1917) took the oath of allegiance to any foreign king or state whether as an incident of enlistment in the military or naval forces of such state or not, lost his United States citizenship. (Opinions of Attorney General of Massachusetts Vol. 5, Page 639 July 31, 1920).
15. Any citizen of the United States who subsequent to the date when this country declared war (April 6, 1917) enlisted in any allied foreign army or navy and as an incident of such enlistment took an oath of allegiance to such foreign king or state, could not and did not lose his citizenship or his right to vote. (Opinions of Attorney General of Massachusetts, Vol. 5, Page 639, July 31, 1930).